

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

IN RE:
RC2 CORP. TOY LEAD PAINT
PRODUCTS LIABILITY LITIGATION

MDL NO. 1893 ALL CASES

Case No. 07 C 7184

Judge Leinenweber

**MOTION FOR EXTENSION OF TIME TO FILE RESPONSIVE PLEADINGS IN
TRANSFERRED ACTIONS**

Comes now the Defendants, RC2 Corporation and Learning Curve Brands (collectively "RC2"), by counsel, and hereby ask this Court for an extension of time to file responsive pleadings in the transferred actions. In support thereof, Defendants state as follows:

1. On December 19, 2007, the Judicial Panel on Multi-District Litigation ("JPML") ordered that the following cases should be transferred to this court: *Stratton v. RC2 Corporation, et al.*; *Martinez v. RC2 Corporation*; *Sweeney v. RC2 Corporation, et al.*; *Murdock v. RC2 Corporation, et al.*; and *Kelley v. RC2 Corporation et al.*

2. Subsequently, on January 11, 2008 the JPML entered an order to transfer additional tag along cases to this Court. Those tag along actions include: *April Wilson v. RC2 Corporation*; *Mitchell Hungerpillar v. RC2 Corporation, et al.*; *Brenda May Singer v. Learning Curve Brands, Inc.*; and *Brian Deutsch v. Learning Curve Brands, Inc.*

3. Prior to being transferred by the JPML, responsive pleadings were only filed in *Murdock*. In all of the remaining cases, but *Martinez*, the courts stayed filing of the responsive pleadings until after transfer.

4. Some of the stays entered by the transferor courts provided times for filing responsive pleadings after transfer while other orders were silent on the issue. Based upon the allegations contained in these Complaints, Defendants expect to file Motions to Dismiss, similar to the Motions to Dismiss which are already pending before this Court.

5. Currently, this Court has pending before it Defendants' Motion to Stay and Plaintiffs' Motion for A Preliminary Injunction Pursuant to the All Writs Act. The timing of the responsive pleadings will depend heavily on the Court's ruling on these pending motions.

6. For this reason, Defendants hereby ask this Court for an extension of time to file responsive pleadings until thirty (30) days after its ruling on Defendants' Motion to Stay and Plaintiffs' Motion for Injunction and for all other relief proper under the premises.

Dated: February 4, 2008

Respectfully submitted,

ICE MILLER

s/ Judy S. Okenfuss
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 4th day of February, 2008, a copy of the foregoing has been filed electronically using the Court's CM/ECF system which sent electronic notification of this filing to the following counsel for Plaintiffs:

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